

Debra P. Hackett
Clerk, U.S. District Court
15 LEE ST STE 206
MONTGOMERY AL 36104-4055

September 09, 2008

Appeal Number: 08-13235-E
Case Style: Taiwan Burton v. James DeLoach
District Court Number: 06-00141 CV-A-N

TO: Debra P. Hackett

CC: Taiwan Burton (167305)

CC: Cecil G. Brendle, Jr.

CC: Troy King

CC: Administrative File

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

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The enclosed certified copy of this Court's order denying the application for a Certificate of Appealability is issued as the mandate of this court. See 11th Cir. R. 41-4. Counsel and pro se parties are advised that pursuant to 11th Cir. R. 27-2, "a motion to reconsider, vacate, or modify an order must be filed within 21 days of the entry of such order. No additional time shall be allowed for mailing."

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Gloria Powell (404) 335-6184

Encl.

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-13235-E

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

SEP 09 2008

THOMAS K. KAHN
CLERK

TAIWAN BURTON,

Petitioner-Appellant,

versus

JAMES DELOACH, Warden, III,
TROY KING, The Attorney General
of the State of Alabama,

Respondents-Appellees.


Appeal from the United States District Court for the
Middle District of Alabama

ORDER:

Because appellant has failed to make the requisite showing, his motion for a certificate of appealability is DENIED. 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 478, 120 S.Ct. 1595, 1600-01, 146 L.Ed.2d 542 (2000).

Appellant's motion for leave to proceed on appeal in forma pauperis is DENIED AS MOOT.

A True Copy - Attested:
Clerk, U.S. Court of Appeals,
Eleventh Circuit

By: 
Deputy Clerk
Atlanta, Georgia

/s/ Joel F. Dubina
UNITED STATES CIRCUIT JUDGE